

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(216)

CRM No. M-1078 of 2022
Date of Decision : 03.02.2022

Manjeet

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Krishan Singh, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view advance copy given)

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 212 dated 14.06.2019, registered under Section 304-B, 34 IPC at Police Station Kalanaur, District Rohtak.

Learned counsel for the petitioner argues that the allegations alleged against the petitioner are false as, even the complainant and the other material witness i.e. son of the complainant has not raised any suspicion towards the petitioner. Learned counsel for the petitioner submits that petitioner is behind bars for the last more than two and half years and as the material witnesses have already been examined and there is no danger of witness being influenced by the petitioner in any manner in case the petitioner is granted the concession of regular bail, the petitioner may kindly

be extended the said concession.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that the allegations against the petitioner are very serious though, the complainant and his son, who have been examined, have not supported their allegations against the petitioner and have not pointed any finger accessing the petitioner of any wrong doing. Learned State counsel submits that though there are other witnesses, who are yet to be examined and the guilt and the innocence of the petitioner is to be adjudged on the basis of the complete evidence, which will come on record during the trial and, therefore, as the petitioner is facing serious allegations, his prayer for the grant of regular bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances of this case where the material witnesses have already been examined and as of now, no evidence has come on record to co-relate the petitioner with the allegations alleged and coupled with the fact that petitioner is behind bars for the last more than two and half years, no justifiable reason has been advanced by the State to keep the petitioner behind the bars during the entire period of trial, especially when the petitioner has undertaken before this Court not to influence the trial or the witnesses in any manner, petitioner has made out a

case for the grant of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

It is made clear that this Court is not expressing any opinion about the guilt of the innocence of the petitioner at this stage and the same will be determined by the trial Court on the basis of the complete evidence, which will come on record.

February 03, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*